

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TIMOTHY FRANKS, : CIVIL ACTION NO. 02-2652
Plaintiff, :
: :
: :
v. :
: :
COUNTY OF LEHIGH, :
THOMAS LAZORIK, :
BRIAN KAHLER, TED KEHM :
JANICE E. NESBIT, JANE :
BAKER, AND RICHARD O. KLOTZ, :
: :
Defendants. :

**PLAINTIFF’S MOTION TO EXTEND TIME TO FILE RESPONSE TO
DEFENDANTS’ MOTION FOR SUMMARY JUDGMENT**

Plaintiff, Timothy Franks, by and through his attorneys, Sidney L. Gold and Associates, P.C., hereby moves this Court to enter an Order extending the deadline within which the Plaintiff shall respond to the Defendants' Motion for Summary Judgment until January 26, 2004 and in support thereof avers the following:

1. Presently pending before the Court is the Defendants' Motion for Summary Judgment which was dually filed with the Court on November 7, 2003.

2. Plaintiff in this case claims that he was terminated from his position of employment in violation of the Americans With Disabilities Act and the Pennsylvania Human Relations Act.

3. Approximately ten (10) depositions have been taken in this matter and the legal issues are very intricate and complex.

4. Defendants' Motion for Summary Judgment is approximately fifty (50) pages in length and entails numerous arguments and factual contentions in support of their Motion.

5. The attorney assigned to respond to Defendants' Motion for Summary Judgment and prepare the Plaintiff's Memorandum of Law in Opposition Thereto unexpectedly tendered her resignation on December 15, 2003.

6. The matter has been reassigned to another associate in the firm who needs additional time to acquaint herself with the relevant facts and summary judgment record. The associate had scheduled a pre-paid holiday vacation which will take her out of the office for approximately ten (10) days thereby inhibiting her ability to complete the said brief on or before the December 24, 2003 deadline.

7. By reason of the foregoing, an additional extension of time until January 26, 2004 is required in order to prepare a meaningful and comprehensive response to the Defendants' Motion.

WHEREFORE, Plaintiff, Timothy Franks hereby moves this Court to enter an Order extending the time within which he shall file a response to the Defendants' Motion for Summary Judgment until January 26, 2004.

SIDNEY L. GOLD & ASSOCIATES, P.C.

By: _____
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